

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFREY BROWN,
Plaintiff,

04) 10849 RCL

CIVIL ACTION NO.

vs.

MARRIOTT INTERNATIONAL)
Defendant.)

MAGISTRATE JUDGE Cohen

RECEIPT # 55512
AMOUNT \$ 150
SUMMONS ISSUED N/A
LOCAL RULE 4.1
WAIVER FORM
MCF ISSUED
BY DPTY. CLK. FD.M
DATE 4-28-04

NOTICE OF REMOVAL TO UNITED STATES DISTRICT COURT

TO: Chief Judge and Judges of the
United States District Court
For the District of Massachusetts

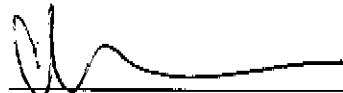
Marriott International, Inc. ("Marriott") files a Notice of Removal pursuant to 28 U.S.C. §§ 1441 and 1446 in connection with the above-captioned action. As grounds for its Notice of Removal, Marriott states as follows:

1. This action was commenced in the Salem District Court and is now pending before that court.
2. Home Depot received service of the complaint on April 1, 2004.
3. In the complaint, the plaintiff asserts that he resides in Beverly, Essex County, Massachusetts.
4. In the complaint, the plaintiff alleges that he "sustained serious and permanent facial injuries and dental injuries" while swimming at a Marriott pool in Hutchinson Island, Florida.
5. Marriott International, Inc. is a Delaware corporation with a principal place of business in Bethesda, Maryland.

6. Jurisdiction is founded on the complete diversity of citizenship between the plaintiffs and the defendants. Given the allegations in the plaintiff's complaint, Marriott believes that the amount in controversy exceeds \$75,000 exclusive of interests and costs.
7. This notice is filed within thirty (30) days of Marriott becoming aware of the diversity of the parties.

WHEREFORE, Marriott requests that this action be removed from the Salem District Court to the United States District Court for the District of Massachusetts.

**MARRIOTT INTERNATIONAL, INC.
By its attorneys,
CAMPBELL CAMPBELL EDWARDS
& CONROY,
PROFESSIONAL CORPORATION**



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CERTIFICATE OF SERVICE

I certify that on 4/28/04, a true copy of the above document was sent by first class mail, postage prepaid to all attorneys of record:

Charles W. Goddard
Goddard Scuteri & Dclaney
27 Congress Street
Salem, MA



Christopher A. Callanan